IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE TWENTY NINTH DAY OF NOVEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE N.V. RAMANA

WRIT PETITION NO : 21746 of 2004

Between:

T. Narsaiah, S/o. Chandraiah,
R/o. Mustabad, Karimnagar District.

..... PETITIONER

AND

1 Collector and Dist. Magistrate, karimnagar District, Karimnagar.
2 Mandal Revenue Officer, Mustabad Mandal, Karimnagar District.
3 Jt. Collector and Chairman, District Level Scrutiny Committee, Karimnagar Dist.
4 Director of Tribal Welfare, Govt of A.P., Hyderabad.
5 Addl. Director General of Police (CID), Govt of A.P., Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to Issue a writ of Mandamus, or any other appropriate writ, order or direction, declaring the proceedings dt. 5.11.2004 issued in proceedings No.C4/6823/77 dt. 5.11.2004 on the file of the 1st respondent as being illega, arbitrary and against the principles of natural justice and without jurisdiction and consequently set aside the same.

Counsel for the Petitioner: MR.K.RAGHUVEER REDDY

Counsel for the Respondents: GP FOR REVENUE

The Court made the following :

THE HONOURABLE SRI JUSTICE N.V.RAMANA

WRIT PETITION NO.21746 OF 2004

ORDER:

Heard the learned counsel for the petitioner and the learned Government Pleader for Revenue for the respondents. Both agreed for disposal of the writ petition at the stage of admission.

As against the impugned order dated 5.11.2004, passed by the Collector and District Magistrate, under Section 5(1) of the A.P. (SCs, STs and BCs) Regulation of Issue of Community Certificate Act,1993 (for short “the Act”) an effective alternative remedy by way of appeal is available to the petitioner before the State Government under Section 7(c) of the Act.

If that be so, the writ petition is disposed of directing the petitioner to avail the remedy of appeal available to him against the impugned order before the State Government under Section 7(c) of the Act within a period of four weeks from today.

The petitioner may file application in the appeal seeking stay of the impugned order. Till appropriate orders are passed thereon, there shall be stay of the impugned order for a period of six weeks from today.

29.11.2004.

mdaa/ksr.

Copy to:

1 Collector and Dist. Magistrate, karimnagar District, Karimnagar.
2 Mandal Revenue Officer, Mustabad Mandal, Karimnagar District.
3 Jt. Collector and Chairman, District Level Scrutiny Committee, Karimnagar Dist.
4 Director of Tribal Welfare, Govt of A.P., Hyderabad.
5 Addl. Director General of Police (CID), Govt of A.P., Hyderabad.

6. Two C.Cs to G.P. for Revenue, High Court of A.P., Hyderabad.

7. Two C.D.copies.